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HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (C) No. 3039 of 2007

Petitioner		Radheshyam Sharma, S/o Late Pt. Rameshwar Prasad Sharma, Aged about 62 years, R/o C-1, Samta Colony, Raipur (C.G.)
	Versus	
Respondents	1.	State of Chhattisgarh – Through the Secretary, Cooperative Department D. K. S. Bhawan, Raipur (C.G.)
	2.	The Registrar, Cooperative Societies, Telebandha, Raipur (C.G.)
	3.	The Returning Officer, Gramin Sewa Sahakari Sanstha Maryadit, Registration No. 802, Nipania, Block & Tahsil Bhatapara, Distt. Raipur (C.G.)
	4.	Shri R. R. Gazbhia, Returning Officer, Gramin Sewa Sahakari Sanstha Maryadit, Registration No. 802, Nipania, Block & Tahsil Bhatapara, Distt. Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Mr. Justice **Satish K. Agnihotri**

Shri P. Diwakar, Senior Advocate with Shri P. R. Patankar, Advocate for the petitioner.

Shri Vinay Pandey, Panel Lawyer for the respondents No. 1 and 2.

ORDER

(Passed on this 11th day of May, 2007)

1. Learned counsel appearing for the petitioner submits that the Joint Registrar, Cooperative Societies, Chhattisgarh vide order dated 4.5.2007 (Annexure P/9) in Appeal Case No./77(1)/589/(R)/07 allowed the appeal and passed the order to stay the proceedings of the Board of Directors dated 2.5.2006 whereby the petitioner was declared disqualified.

2. The Registrar, Cooperative Societies, thereafter, vide letter dated 5.5.2007 (Annexure P/6) directed the Joint Registrar to ensure compliance of the order dated 6.4.2004 (Annexure P/10), passed by the

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Deputy Registrar, Cooperative Societies, whereby, according to the petitioner cancellation of the Membership of the petitioner from the primary society was set aside.

3. On perusal of the above orders, it appears that this is for the Registrar, Cooperative Societies, to ensure compliance of the orders by granting consequential benefits to the petitioner.
4. According to the petitioner, if the needful is not done before the election process begins, the entire exercise would become infructuous. He submits that the Registrar, Cooperative Societies be directed to ensure compliance of the letter dated 5.5.2007 (Annexure P/6), addressed to the Joint Registrar, Cooperative Societies, a copy of which is marked to the petitioner, in its letter and spirit, by granting all consequential benefits flowing from the order dated 6.4.2004 passed by the Deputy Registrar, Cooperative Societies, within a period of five days.
5. Learned counsel appearing for the respondents No. 1 and 2 has no objection to the above submission made by learned counsel for the petitioner.
6. It is ordered accordingly.
7. In view of the above direction, this petition stands disposed of.

Certified copy, today.

Sd/-
Satish K. Agnihotri
Judge

Thakur